

University and College Union

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To Congress delegates

Topic **Congress 2022: Third Report of the Congress business committee**

Action For adoption by Congress 2022. **Delegates to make advance speaking request for motions to HE sector conference in this report by 18:00, Wednesday 1 June 2022**

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UCU CONGRESS AND SECTOR CONFERENCES 1 - 3 JUNE 2022

THIRD REPORT OF THE CONGRESS BUSINESS COMMITTEE

Please note the following action point:

- **SPEAKING REQUESTS** for motions to HE sector conference in this report **to be submitted in advance by 18:00, Wednesday 1 June 2022** using the [speaking request form available here](#). Speaking requests can also be made during the course of the meetings but advance notice of speaking requests wherever possible is strongly recommended.

At its pre-Congress meeting on 31 May, CBC received 12 late motions submitted to Congress and the HE sector conference.

Four late motions have been ordered into the Congress agenda. Two of these were submitted in almost identical form and have been composited (L1). Five late motions have been ordered into the HE sector conference agenda; one of these is a composite motion (L5).

One late motion submitted to HE sector conference has not been ordered into the agenda as it has not been approved in accordance with the Congress standing orders. This appears at the end of this report as motion B21.

One clause of a subsequently composited motion has not been ordered into the agenda as it was not considered to be in order for decision by a sector conference. This clause can be found at the end of this agenda as B22.

The original text of the composited motions (L1 and L5) can be found at the end of this report as C14-C17.

Late motions ordered into the Congress agenda

Section 1, Strategy and finance committee to be taken in private session

To be taken before motion 19.

L1 Composite: The General Secretary's responsibilities in disputes University of Brighton, Kingston University

Congress notes that:

1. The UK-wide HE disputes have fragmented to just a small number of branches taking action
2. Despite acting on a mandate secured as a result of UK-wide re-ballots these branches have now largely been left to fight on their own for local gains
3. No serious fundraising has been organised centrally to support members faced with 100% pay docking.

Congress believes that:

- a. This is a situation which seriously undermines the strength of the union.
- b. The General Secretary must bear ultimate responsibility for this.

Congress instructs the GS:

- i. To respect the decisions taken by the democratic bodies of the union
- ii. To ensure that those decisions are implemented in full and in a timely manner
- iii. To refrain from interventions in the course of a dispute which contradict the democratically established strategy and undermine the confidence of members in it.

Section 2, Strategy and finance committee to be taken in open session

To be taken after motion 27.

L2 Solidarity with NUS National executive committee

Congress notes the

1. right of elected student officers, and indeed all students, to campaign is essential to a healthy community of learning
2. recent interventions of multiple government ministers exerting pressure on NUS to remove elected President Shaima Dallali from her position
3. UK Government's decision to disengage with the NUS
4. targeting of activists in Higher Education occurs in a broader political context of attacks on academic freedoms at a national and institutional level

Congress resolves to call on GS in consultation and agreement with the NUS to:

- a. demand UK Government rescinds derecognition of NUS
- b. express our solidarity with NUS and student campaigners.

Section 7, Recruitment, organising and campaigning committee

To be taken after motion 68.

L3 UK-wide campaign against cuts at University of Wolverhampton University of Wolverhampton

Congress notes:

1. The outrageous attack on student provision and workers at the University of Wolverhampton, without any consultation with recognised trade unions
2. The disastrous plans for suspension of level 4 and level 7 courses across the university, leaving many applicants with nowhere to go in September; the closure of Burton campus; and the merging of two schools, resulting in job losses
3. The serious questions emerging around the financial competence of University leadership leading to the current situation
4. That this represents a cross-sectoral attack of national significance to educational opportunity across the region. Many of our students want or need to stay in the West Midlands so the suspension of our courses means that they cannot access HE

Congress resolves:

To support the branch in a national campaign against this including

- a. Public demonstrations with rallies
- b. A petition against course suspensions
- c. Support for any dispute
- d. EDM
- e. A range of strategic industrial actions

L4 Racial Discrimination and Constructive dismissal of Migrant Black members at the University of Wolverhampton National executive committee

Congress notes:

1. The increasing structural racism and barriers faced by Black migrant staff at the University of Wolverhampton.
2. Intolerable racism, unachievable work demand on Black migrant staff causing serious health issues for some Black migrant staff and their constructive dismissals.

3. Threat of massive jobs cuts has disproportionate effects on immigration status of Black migrant workers and their families.

Congress instructs the GS and the Executive to:

- a. Provide appropriate support including full Legal support to all the affected Black migrant members at the University of Wolverhampton.
- b. Call out the racism, lobby local MPs and University management, coordinate public campaign condemning anti Black migrant workplace culture that exists at the University of Wolverhampton
- c. To support the local branches on its fight to defend jobs and migrant workers and their immigration status.

Late motions ordered into the HE sector conference agenda

To be taken after motion HE3, USS, in private session.

L5 Composite UCU must support the court case to reverse pension cuts King's College London, Royal Holloway, University of London

HESC notes:

1. the USS pension was cut on 1 April 2022 by over 30% for a typical university staff member;
2. the 'Save university pensions, and save the planet' was crowdfunded to reverse the cuts for everyone by injunction, and to bring claims against the USS trustees and managers for: discrimination, negligence and general managerial failures.
3. the initial success of this crowdfunding campaign and the willingness of people and UCU branches to fund the campaign, to the value of over £220 000 so far.
4. that the campaign needs to appeal against the recent verdict that it "failed on its merits".

HESC further notes

5. the High Court decided on 24 May 2022 that beneficiaries *can* bring a claim against the USS directors for breach of duty, but did not yet give permission to proceed, based on caselaw from 1843;
6. the QC estimates costs of an appeal at £350,000, and £700,000 to the Supreme Court;
7. UCU accounts for 2021 show £35.27million in the accumulated fund;
8. the pension cuts for many members are over £350,000, there are 200,000 active members, and the total loss from cuts is £18-20bn.

Conference believes:

- a. having an alternative, legal route to challenge USS trustees' scheme management, alongside the UCU industrial dispute, provides the best chance of protecting USS members' retirement security.

Conference resolves:

- i. to call on UCU to financially support this campaign going forward;
- ii. to use UCU resources to gain additional publicity and political support for this legal challenge;
- iii. that UCU must back the case publicly by email and social media.

To be taken after motion HE13, Taking action, in private session.

L6 Local control of boycott University of Edinburgh

HESC notes:

1. The current open-ended marking and assessment boycott
2. Delays in enacting decisions taken at previous (S)HESCs.
3. Start date of current boycott reduces the number of members able to take disruptive action.
4. Liverpool delayed marking by combining boycott with 'go slow'.

HESC believes:

- a. Branches are best placed to determine when to deploy different types of action.
- b. Taking action that members feel is not sufficiently disruptive saps morale, makes mobilisation harder and weakens our hand.
- c. Giving branches ownership of the action will help those members being asked to take this action to hold the line.

HESC resolves that a branch can, via a vote at a quorate branch meeting and in consultation with HE officers:

- i. Pause local boycott and switch to go slow to target and maximise impact.
- ii. Resume a paused boycott.
- iii. Reduce the number of days of any supporting strike action if employer reduces or forgoes deductions for ASOS.

L7 Twin to win Liverpool John Moores University

HESC notes:

1. c. 20 branches continue with the marking and assessment boycott as part of the Four Fights/USS disputes;

2. many of these branches are facing high salary deductions of up to 100% and a lock-out for undertaking the boycott;
3. fundraising is a crucial part of any industrial action strategy, yet this has not happened in an adequately concerted and coordinated way;
4. the cap on access to the national strike fund has not been raised to support members in branches taking 12+ days of industrial action;
5. UCU has not implemented a centrally organised twinning campaign;
6. grassroots activists initiated a twinning campaign to develop financial support and inter-branch solidarity.

HESC Resolves:

- A. UCU should develop a twinning campaign learning from and inspired by the above campaign;
- B. HEC to work to implement twinning now in collaboration with the above campaign;
- C. To Develop twinning as a standard part of all disputes.

L8 Delays in industrial action and notifications Newcastle University

Conference notes

1. That the legislation seeks to delay industrial action to render it less effective.
2. That delay rendered the marking boycott less effective for branches with a mandate.
3. That strike notifications for some branches still involved in the USS and Four Fights industrial action are still outstanding, including those facing 100% deductions.
4. That requested dates have already fallen foul of the fortnight's notice period.
5. That failure to notify leaves those branches in a weaker position in relation to the employer.

Conference confirms the CEIA as policy and recommendations about timely decision-making.

Conference resolves

- a. That national decisions on approving industrial action should be transparent, democratic and consistent and in writing.
- b. That written guidance should exist on how industrial action is approved.
- c. That decisions should be treated as urgent including any branches involved in industrial action.
- d. That strike notifications be communicated urgently in the case of branches currently in dispute.

L9 Building towards a genuinely transformation national dispute on pay University of Essex

Conference notes:

1. Only 20 branches participated in the marking boycott on 23/05/2022. This significantly diminished the national 4Fights campaign.
2. Time is required to build a strategic campaign to enable national participation in the action.
3. The membership's desire for a transformational offer on pay and equality.
4. The capacity of branch committees and the membership to organise GTVO campaigns is waning, presenting a potential threat to the movement.

Conference resolves to:

- a. Build towards a significant, transformational 2023/4 pay award.
- b. Engage members in consultation on bargaining and the 2023/4 claim at the branch and regional level.
- c. Structure a detailed timetable to: build sufficient Fighting Fund finances; engage with sister unions involved in JNCHES with the intention of joint dispute and action.
- d. Strongly consider the use of an aggregated ballot for any industrial action resulting from the 2023/4 claim.

Motions not ordered into the agenda

Submitted to HE sector conference

Motion has not been passed in accordance with the Congress standing orders

B21 Save our humanities Royal College of Art

Conference notes:

1. 1 year after DoE decision to cut 50% of OfS funding to higher education arts subjects in England, our sector faces waves of redundancies in arts and humanities departments across the country, including Sheffield, Goldsmiths, Roehampton, Wolverhampton, DeMontfort, Dundee, RCA, UAL and more. DoE states further cuts are possible in 2022-23.
2. Three motions were passed to fight back against these cuts in 2021 (2 at UCU Congress, 1 at HEC) but resolutions have yet to be actioned.

Congress believes:

- a. Funding cuts are directly impacting the jobs of UCU HE members and undermine the democratisation of arts education and inclusivity. These cuts are part of the government's broader defunding and politicised attacks on the arts and humanities.

Conference resolves to:

- i. Urgently set up an Arts and Culture Campaign Group drawn from representatives of HE institutions affected by the cuts to launch and coordinate the campaign to Defend the Arts

Clause not considered to be in order for decision by a sector conference

B22 King's College London – from motion CX/composite

HESC resolves that UCU must:

- b. indemnify the claimants for the costs of appeals.

Original text of composited motions

Congress motion L1:

C14 The General Secretary's responsibilities in disputes University of Brighton, Kingston University

Congress notes that:

1. The UK-wide HE disputes have fragmented to a small number of branches taking action
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3. No serious fundraising has been organised centrally to support members faced with 100% pay docking.

Congress believes that:

- a. This situation seriously undermines the strength of the union.
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- ii. To ensure that those decisions are implemented in full and in a timely manner
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C15 The General Secretaries responsibilities in disputes Kingston University

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3. No serious fundraising has been organised centrally to support members faced with 100% pay docking.

Congress believes that

- a. This is a serious situation which undermines the strength of the union.
- b. That the General Secretary must bear ultimate responsibility for this.

Congress instructs the GS

1. To respect the decisions taken by the democratic bodies of the union
2. To ensure that those decisions are implemented in full and in a timely manner
3. To refrain from interventions in the course of a dispute which contradict the democratically established strategy and undermine the confidence of members in it.

HE sector conference motion L5:

C16 UCU must support the court case to reverse pension cuts King's College London

HESC notes:

1. the USS pension was cut on 1 April 2022 by over 30% for a typical university staff member;
2. the 'Save university pensions, and save the planet' was crowdfunded to reverse the cuts for everyone by injunction;
3. the High Court decided on 24 May 2022 that beneficiaries *can* bring a claim against the USS directors for breach of duty, but did not yet give permission to proceed, based on caselaw from 1843;
4. the QC estimates costs of an appeal at £350,000, and £700,000 to the Supreme Court;
5. UCU accounts for 2021 show £35.27million in the accumulated fund;
6. the pension cuts for many members are over £350,000, there are 200,000 active members, and the total loss from cuts is £18-20bn.

HESC resolves that UCU must:

- a. back the case publicly by email and social media

C17 Royal Holloway, University of London

Conference notes:

1. the initial success of the crowdfunding campaign to bring claims against the USS trustees and managers for: discrimination, negligence and general managerial failures.
2. That the campaign needs to appeal against the recent verdict that it “failed on its merits”.
3. the willingness of people and UCU branches to fund the campaign, to the value of over £220 000 so far.

Conference believes:

- a. having an alternative, legal route to challenge USS trustees’ scheme management, alongside the UCU industrial dispute, provides the best chance of protecting USS members’ retirement security.

Conference resolves:

- i. to call on UCU to financially support this campaign going forward.
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